

**REMARKS AND REQUEST FOR RECONSIDERATION**


The examiner rejected all of the claims under 35 U.S.C. §102(e) based on U.S. Patent No. 5,832,497 issued to Taylor and, alternatively, on U.S. Patent No. 5,758,324 issued to Hartman et al.

In response, rather than addressing the specifics of this rejection and emphasizing the patentable distinctions between the claimed invention and the references, Taylor and Hartman, the applicant respectfully submits that neither reference is prior art under 35 U.S.C. §102. More specifically, as set forth in the attached 37 C.F.R. §1.131 declaration,<sup>1</sup> inventor Uday Nadkarni made his invention prior to August 10, 1995, which is the effective date of Taylor and well before the effective date of Hartman (December 15, 1995). Accordingly, neither reference can support a rejection under §102(e), thereby eliminating the Examiner's grounds for rejecting the claims. The claims should therefore be in condition for allowance.

Reconsideration is respectfully requested. In view of the above remarks, it is urged that the present application be allowed. An early and favorable response is earnestly solicited.

Thank you.

Respectfully submitted,

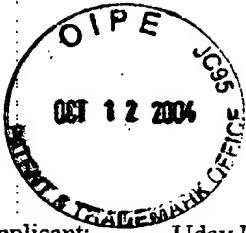


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M:\SDriscoll\INFINIX\21411-B USA\response to OA dated 5-7-04.wpd

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<sup>1</sup>This declaration was submitted originally in the prosecution of the parent application (now US patent No. 6,266,659).



IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

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Applicant: Uday P. Nadkarni

Application No: 09/130,819

Group Art Unit: 2771

Filing Date: August 7, 1998

Examiner: F. Coby

Title: SKILLS DATABASE  
MANAGEMENT SYSTEM  
AND METHOD

Attorney Docket No: 21,411-A USA

Commissioner of Patents and Trademarks  
Washington, DC 20231

DECLARATION UNDER 37 C.F.R. §1.131

1. This declaration is to establish completion of the invention in the above-identified application in the United States, at a date prior to August 10, 1995, which is the effective date of U.S. Patent No. 5,832,497. This patent was cited as prior art under 25 U.S.C. §102(e) by the examiner.

2. I am the inventor of Claims 1-20 of the above-identified patent application and inventor of the subject matter described and claimed therein.

3. Prior to August 10, 1995, I completed my invention as described and claimed in the subject application in this country, as evidence by the following:

a. Prior to August 10, 1995, I conceived the idea of providing candidates seeking employment or employers seeking to hire with a central platform to input data and/or to formulate search queries with precision by using a relational database. Also prior to August 10, 1995, I compiled executable code for instructing a computer to prompt a user for information in a hierarchical format to build a search query and to search a database for candidates that meet the

query requirements. A copy of this executable code is stored on a 3.5" diskette, which is attached hereto as Exhibit A. The code has a modification date which is prior to August 10, 1995. Other code that forms part of the invention, such as communications code, is not included in Exhibit A.

b. Using the executable code described above, a search query was generated by responding to prompts in which the profession was specified along with a category within the profession and skills and years of experience associated with the category. As evidence of the program's successful operation, a copy of the screen showing this query and the number of candidates meeting the query requirements is attached hereto as Exhibit B. A list of candidates having resumes that meet the query requirements is attached hereto as Exhibit C. Exhibit D shows one particular resume from the list shown in Exhibit C.

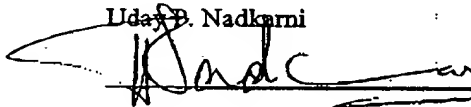
4. As the person signing below:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

Inventor:

Uday P. Nadkarni

Signature:



Residence:

52 Jamie Court  
Monmouth Junction, NJ 08852

Citizenship:

United States of America

**EXHIBIT A**  
**1.131 DECLARATION**

**Applicant:** Uday P. Nadkarni  
**Application No.:** 09/130,819  
**Filing Date:** August 7, 1998  
**Attorney Docket No.:** P21,411-A USA  
**Art Group:** 2771  
**Examiner:** Coby, F.  
**Title:** SKILLS DATABASE MANAGEMENT SYSTEM  
AND METHOD

Exhibit B

Query1 for Computer Software

Project Name  Education

Enter one or more selections for the following

Category  Skill  Experience (yrs)  Usage Level

Programming - C++, 5 years

Keywords (Enter any combination of keywords to search within the resume)

Response

Run	Resumes	Query Parameters
1	20	Programming - C++, 5 years

# Exhibit C

## Resume Table - Run 1

Project Name :

Id	Name	Total Experience	Education	Available	Company
5475163	John J. Coleman	28	M.S.	02/25/94	Inference Development Corp.
7936178	David Liu	9	M.S.	02/25/94	Inference Development Corp.
9358192	Choudhary Parchuri	4	M.S.	03/15/94	ABC Inc.
8368193	Peter Walker	7	B.S.	01/28/94	Inference Development Corp.
6298179	Simon Fred	4	M.S.	02/01/94	Inference Development Corp.
5438160	Paul Gandy	8	Ph.D.	02/28/94	Inference Development Corp.
4438165	Glen Thomson	8	Ph.D.	01/31/94	Inference Development Corp.
3437165	David Col	1	B.S.	02/09/94	Inference Development Corp.
2437842	John Smith	2	B.S.	02/07/94	Inference Development Corp.
1487848	Bob Edger	2	B.S.	02/25/94	ABC Inc
1465168	Bob Wheeler	12	A.B.	10/20/93	First Development Corp.
6364790	Anderson Christopher	5	B.S.	12/25/93	Inference Development Corp.
1058178	Baker Francis Godfrey	7	M.S.	01/09/94	Inference Development Corp.
9367193	Cecil David Asir	3	M.S.	05/10/94	First Development Corp.
1789345	Dorn Norman	29	H. School	04/10/94	ABC Inc.
6745320	Finkel David	11	B.S.	02/07/94	First Development Corp.
1269041	Gould Steven	7	M.S.	03/15/94	Inference Development Corp.
9874217	Hatfield William	8	B.S.	01/15/94	ABC Inc
2653219	Mack Calvin	5	M.S.	03/10/94	First Development Corp.

Resume

Cancel

Exhibit D

Resumes - Run 1

Id Num **7936178** ☒ Send Letter ☒ Interview

Name : Bob Wheeler

Education : B.S. (Physics), Loyola College of Madras University, Madras, India; 1987  
Post Graduate Courses in VAX Application, UNIX & C, Madras; 1990  
Post Graduate Diploma in Computer Application, Shabari College, Madras, 1987

Technical Skills :

Hardware Micro VAX-II, Unisys 6000, 80x86

Software UNIX, VMS, MS-DOS, ORACLE (6.0), SQL\*Forms (3.0),  
SQL\*ReportWriter, SQL\*Plus, PRO\*COBOL, PRO\*C, SQL\*MENU,  
SQL\*LOADER, CASE\*Tools (DICTIONARY and Generator), FORMS,  
RDB, TDMS, SQL, DTR, SCL, FOXPRO, CLIPPER, PROGRESS,  
SYBASE, C, COBOL, BASIC, FORTRAN, Lotus 123

Experience : 5 years

Activity Reports; Dec. 1992 - Jul. 1993

**Next** **Previous** **Print** **Done**